

Application No. 10/004,061
Election and Request for Reconsideration dated July 1, 2004
Reply to Office Action of June 3, 2004

REMARKS / ARGUMENTS

The Examiner is thanked for the Office Action of June 3, 2004 and withdrawal of the previous restriction requirement of February 10, 2004. This Election and Request for Reconsideration is fully responsive thereto. In response to the newly presented requirement for restriction, Applicant provisionally elects, with traverse, Group I (claims 1-61 and 67-76).

RESTRICTION REQUIREMENT

In the June 3, 2004 Office Action, the Examiner withdrew the restriction of February 10, 2004, but required a new restriction with respect to two Groups: Group I (claims 1-61 and 67-76) drawn to a heat transfer fluid mixture, and Group II (claims 62-66) drawn to a method of using a heat transfer fluid mixture. However, Applicant respectfully asserts that the Examiner improperly required the restriction and should therefore withdraw the same and examine all of the claims.

In order to properly require restriction between different Groups according to US PTO restriction practice, the Examiner must not only show that the two Groups are distinct, the Examiner must also that search and examination of both Groups would be burdensome. In this case, the Examiner failed to make such a showing.

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CONCLUSION

For the reasons explained above, Applicant believes that the restriction requirement was improperly made and should be withdrawn. Applicant respectfully requests examination of all the claims.

Should the Examiner believe that a telephone call would expedite prosecution of the application, he is invited to call the undersigned attorney at the number listed below. It is believed that no fee is due at this time. If that belief is incorrect, please debit deposit account number 01-1375. Also the Commissioner is authorized to credit any overpayment to Deposit Account No. 01-1375.

Respectfully submitted,



Christopher J. Cronin
Registration No. 46,513

Date: July 1, 2004
Air Liquide
5230 S. East Ave.
Countryside, IL 60513
(708) 579-7925 Phone
(708) 579-7801 Fax

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being transmitted via facsimile to telephone number 703-872-9306 on this 1st day of July, 2004.



Christopher J. Cronin
Registration Number 46,513